

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TARIQ BHATTI

Plaintiff,

V.

J.P. MORGAN CHASE, a Delaware Corporation,

Defendant.

C.A. No. 05-690 (KAJ)

TRIAL BY JURY DEMANDED

## STIPULATION

The parties, by and through the undersigned counsel, hereby stipulate and agree as follows:

1. Plaintiff filed a Charge of discrimination with the EEOC/DDOL on May 19, 2004, with respect to the failure to hire allegations set forth in his Second Amended Complaint. Plaintiff agrees that under the applicable law, all claims filed more than 300 days from the date of his Charge of Discrimination may not be the basis for any claims, and may be dismissed based on the applicable statute of limitations.

2. Any claim with respect to Plaintiff's application for employment with Defendant for any position for which Plaintiff applied on or before July 24, 2003, is hereby dismissed, with prejudice.

3. This Stipulation and Order shall not be construed preventing Plaintiff from arguing the acts occurring before July 24, 2003 should be admissible in support of his claims of discrimination. Defendant, however, reserves all objections, including without limitation relevancy or prejudice, in the event Plaintiff seeks to introduce evidence (documents or testimony).

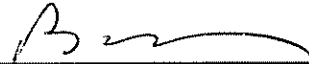
4. The parties agree that within ten (10) days of the date of the entry of this Stipulation, Plaintiff may file a Sur Reply Brief with respect to the arguments made in Section I, B.2. of Defendant's Reply Brief in support of its Motion to Dismiss Count II of Plaintiff's Second Amended Complaint. The parties have agreed to a Sur Reply Brief as set forth above because the argument set forth in Section I, B.2 of Defendant's Reply Brief was not fully addressed in Defendant's Opening Brief.

ABER, GOLDLUST, BAKER & OVER

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Attorneys for Defendant

SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
The Honorable Kent A. Jordan